

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

IN RE PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESALE PRICE LITIGATION

MDL No. 1456
Master File No. 01-12257-PBS

**NOTICE OF APPEARANCE OF THEODORE M. HESS-MAHAN ON BEHALF OF
NON-PARTY EMPIRE BLUE CROSS BLUE SHIELD**

Pursuant to Local Rule 83.5.2(a), notice is hereby given of the appearance of Theodore M. Hess-Mahan of the law firm of Shapiro Haber & Urmey LLP, Exchange Place, 53 State Street, Boston, Massachusetts 02109, (617) 439-3939, as counsel for non-party Empire Blue Cross Blue Shield in the above-captioned matter.

Dated: August 26, 2005

Respectfully submitted,

/s/Theodore M. Hess-Mahan

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